

### Remarks

Claims 11-18 have been added. Claims 1-18 are now in the case.

#### **I. Rejection of Claims 1-10 under 35 U.S.C. 103(a) based on Chou in view of Schwartz**

Claims 1-10 have been rejected under 35 U.S.C. 103(a) based on Chou in view of Schwartz. These rejections are respectfully traversed.

Claim 1 of the present application specifies:

1. An apparatus comprising:
  - a left end piece;
  - a right end piece; and
  - a pillow;wherein the left end piece has a recess into which a left portion of the pillow can be inserted;
- wherein the right end piece has a recess into which a right portion of the pillow can be inserted;
- and wherein the pillow is substantially softer than the left end piece and the right end piece.

In the present application, in one or more embodiments, a left end piece 12, a right end piece 32, and a pillow 20 are provided. (Present application, pg. 3, paragraph 2, Fig. 2). The left end piece 12 has a recess 18, into which a left portion 22 of the pillow 20 can be inserted, and the right end piece 32 has a recess 38 into which the right portion 26 of the pillow 20 can be inserted. (Present application, pg. 3, paragraphs 2-3 and Figs. 1 and 2). Claim 1 specifies that the pillow is substantially softer than the left end piece and the right end piece.

Chou discloses a plurality of linings 2 to match the size of chambers 13 for a bag body 1 for an adjustable pillow. (Chou, col. 1, ln. 50 – col. 2, ln. 17). The examiner incorrectly states that Chou discloses a pillow which is substantially softer than the left end and right end pieces, citing

col. 2, Ins. 23-25 of Chou. (10/1/2004 office action, pg. 2, paragraph 3). The section of Chou cited does not refer to softness but rather indicates that the lateral portions and the rear central portion are "high" while the front central portion is "low" thereby creating a drop. (Col. 2, Ins. 18-25). I.e. the different sections of Chou may have the same softness or hardness and yet still be higher or lower, depending on the amount of material placed in the lining sacs 21. Although Chou does indicate that generally different materials can be used for linings 2, Chou does not specifically disclose a soft pillow surrounded by harder left and right end pieces. As the examiner points out, Chou also fails to disclose a recess in left and right end pieces. (10/1/2004 office action, pg. 2, paragraph 3).

Schwartz does not disclose a pillow but rather a mattress assembly 10. (Schwartz, col. 3, Ins. 13-20). The mattress assembly 10 includes stacks 14 and 15 and containment blocks 16 and 17. (Id.) Schwartz discloses equalizing the firmness of the stacks 14 and 15 with the containment blocks 16 and 17. (Schwartz, col. 4, Ins. 41-44).

The combination of Chou and Schwartz does not satisfy the limitations of claim 1. Neither patent discloses a pillow which is substantially softer than left and right end pieces. In addition, there is no suggestion of modifying Chou to provide recesses. Chou already has a plurality of chambers 13, which match the linings 2, for keeping the linings 2 in place, and thus appears to teach against having recesses. (Chou, Col. 2, Ins. 1-8). Schwartz deals with mattresses and there is no suggestion in either Schwartz or Chou, that recesses should be provided in end pieces used with a pillow.

Claim 1 is respectfully submitted to be allowable for at least the foregoing reasons. Claims 2-5 and new claims 11-14 are dependent on claim 1 and are submitted to be allowable for at least the same reasons.

Claim 6 specifies:

6. A method comprising the steps of

inserting a right portion of a pillow into a recess of a right end piece;  
inserting a left portion of a pillow into a recess of a left end piece; and  
wherein the pillow is substantially softer than the left end piece and the right end piece.

As previously specified neither Chou nor Schwartz discloses a pillow which is substantially softer than left and right end pieces. In addition, there is no suggestion in either Schwartz or Chou, that recesses should be provided in end pieces used with a pillow.

Claim 6 is respectfully submitted to be allowable for at least the foregoing reasons. Claims 7-10 and 15-18 are dependent on claim 6 and are submitted to be allowable for at least the same reasons.

## II. New Claims 11-18

Claims 11-14 are dependent on claim 1 and also include further limitations. Claim 11 specifies:

11. The apparatus of claim 1 wherein  
the right end piece overlaps the right portion of the pillow when the right portion of the pillow is in the recess of the right end piece; and  
wherein the left end piece overlaps the left portion of the pillow when the left portion of the pillow is in the recess of the left end piece.

In at least one embodiment of the present invention, the right end piece 32 overlaps the right portion 26 of the pillow 20 when the right portion 26 of the pillow 20 is in the recess 38 of the right end piece 32. (Present application, Figs. 1 and 2). In addition, the left end piece 12 overlaps the left portion 22 of the pillow 20 when the left portion 22 of the pillow 20 is in the recess 18 of the left end piece 12. (Id.). The prior art does not disclose the combination of limitations of claim 11. Claims 12-14 are dependent on claim 11 and provide further limitations. Claims 11-14 are submitted to be allowable.

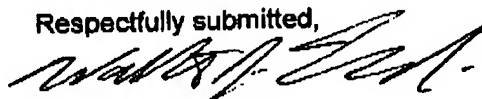
Claim 15 provides a similar "overlaps" limitations. Claims 16-18 are dependent on claim

15. Claims 15-18 are submitted to be allowable.

### III. Conclusion

Claims 1-18 are respectfully submitted to be in a condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

Respectfully submitted,



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